

HOUSE BILL 410

By Byrd

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 1; Title 49, Chapter 2 and Title 49,
Chapter 6, relative to physical activity for students.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-1021, is amended by deleting subsections (a) and (b) and substituting instead the following:

(a)

(1) In accordance with § 49-6-1022, for students in elementary school, it shall be the duty of each LEA to integrate a minimum of two (2) twenty-minute periods of non-structured physical activity per day at least four (4) days each week, which may include jogging, jumping rope, playing volleyball, or other forms of physical activity that promote fitness and well-being; however, walking to and from class shall not be considered physical activity for the purposes of this subdivision (a)(1).

(2) The requirements of subdivision (a)(1) may include a physical education program in a school if such physical education program:

(A) Is age and grade appropriate; and

(B) Teaches students social, cognitive, and physical skills, and how to achieve lifelong goals such as cooperation, communication, and creativity through movement, that will transfer into the student being more skilled in participating in physical activity outside of physical education class by improving the student's attention, focus, and behavior.

(3) If a physical education program uses subdivision (a)(2) to comply with the requirements of subdivision (a)(1), then the program shall alternate each day that the program meets by teaching students social, cognitive, and physical skills, and achieving lifelong goals through movement on one day, then allowing the students to use the information taught to engage in supervised safe, active free play on the next day.

(4) In accordance with § 49-6-1022, it shall be the duty of each LEA to integrate for students in grades seven through twelve (7-12) a minimum of ninety (90) minutes of physical activity per week, which may include walking, jumping rope, playing volleyball, or other forms of physical activity that promote fitness and well-being; however, walking to and from class shall not be considered physical activity for the purposes of this subdivision (a)(4).

(b) For purposes of this section:

(1) "Non-structured physical activity":

(A) Means a temporary withdrawal or cessation from usual school work or sedentary activities during which an opportunity for rigorous physical activity is provided; and

(B) Does not mean walking to and from class; and

(2) "Physical education program" means a program that:

(A) Emphasizes the knowledge, skills, and dispositions for a lifetime of regular physical activity;

(B) Is consistent with national physical education standards for:

(i) The information that students should learn about physical activity; and

(ii) The physical activities that students should be able to perform;

(C) Requires that some of the physical education class be used for actual student physical activity and that the activity be, to the extent practicable, at a moderate or vigorous level;

(D) Offers students an opportunity to choose among many types of physical activity in which to participate;

(E) Offers students both cooperative and competitive games;

(F) Meets the needs of students of all physical ability levels, including students with disabilities who shall participate in moderate physical activity to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.) or Section 504 of the Rehabilitation Act (29 U.S.C § 701 et seq.) and, if applicable, included in the student's individualized education program;

(G) Teaches self-management and movement skills;

(H) Teaches cooperation, fair play, and responsible participation in physical activity;

(I) Promotes student participation in physical activity outside of school; and

(J) Allows physical education classes to be an enjoyable experience for students.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.